

Amendment Offered in the Nature of a Substitute
To H.R. 1900
Offered by Mr. Greenwood

Strike all after the enacting clause and insert
the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Juvenile Crime Control and Delinquency Prevention Act
4 of 2001”.

5 (b) TABLE OF CONTENTS.—The table of contents of
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purpose.
- Sec. 4. Definitions.
- Sec. 5. Name of office.
- Sec. 6. Concentration of Federal effort.
- Sec. 7. Coordinating Council on Juvenile Justice and Delinquency Prevention.
- Sec. 8. Annual report.
- Sec. 9. Allocation.
- Sec. 10. State plans.
- Sec. 11. Juvenile delinquency prevention block grant program.
- Sec. 12. Research; evaluation; technical assistance; training.
- Sec. 13. Demonstration projects.
- Sec. 14. Authorization of appropriations.
- Sec. 15. Administrative authority.
- Sec. 16. Use of funds.
- Sec. 17. Limitation on use of funds.
- Sec. 18. Rules of construction.
- Sec. 19. Leasing surplus Federal property.
- Sec. 20. Issuance of rules.
- Sec. 21. Content of materials.
- Sec. 22. Technical and conforming amendments.
- Sec. 23. References.
- Sec. 24. Effective date; application of amendments.

1 **SEC. 2. FINDINGS.**

2 Section 101 of the Juvenile Justice and Delinquency
3 Prevention Act of 1974 (42 U.S.C. 5601) is amended to
4 read as follows:

5 “FINDINGS

6 “SEC. 101. (a) The Congress finds the following:

7 “(1) Although the juvenile violent crime arrest
8 rate in 1999 was the lowest in the decade, there re-
9 mains a consensus that the number of crimes and
10 the rate of offending by juveniles nationwide is still
11 too high.

12 “(2) One in every 6 individuals (16.2 percent)
13 arrested for committing violent crime in 1999 was
14 less than 18 years of age. In 1999, juveniles ac-
15 counted for 9 percent of murder arrests, 17 percent
16 of forcible rape arrests, 25 percent of robbery arrest,
17 14 percent of aggravated assault arrests, and 24
18 percent of weapons arrests.

19 “(3) More than ½ of juvenile murder victims
20 are killed with firearms. Of the nearly 1,800 murder
21 victims less than 18 years of age, 17 percent of the
22 victims less than 13 years of age were murdered
23 with a firearm, and 81 percent of the victims 13
24 years of age or older were killed with a firearm.

25 “(4) Juveniles accounted for 13 percent of all
26 drug abuse violation arrests in 1999. Between 1990

1 and 1999, juvenile arrests for drug abuse violations
2 rose 132 percent.

3 “(5) Over the last 3 decades, youth gang prob-
4 lems have increased nationwide. In the 1970’s, 19
5 States reported youth gang problems. By the late
6 1990’s, all 50 States and the District of Columbia
7 reported gang problems. For the same period, the
8 number of cities reporting youth gang problems grew
9 843 percent, and the number of counties reporting
10 gang problems increased more than 1,000 percent.

11 “(6) According to a national crime survey of in-
12 dividuals 12 years of age or older during 1999, those
13 12 to 19 years old are victims of violent crime at
14 higher rates than individuals in all other age groups.
15 Only 30.8 percent of these violent victimizations
16 were reported by youth to police in 1999.

17 “(7) One-fifth of juveniles 16 years of age who
18 had been arrested were first arrested before attain-
19 ing 12 years of age. Juveniles who are known to the
20 juvenile justice system before attaining 13 years of
21 age are responsible for a disproportionate share of
22 serious crimes and violence.

23 “(8) The increase in the arrest rates for girls
24 and young juvenile offenders has changed the com-

1 position of violent offenders entering the juvenile
2 justice system.

3 “(9) These problems should be addressed
4 through a 2-track common sense approach that ad-
5 dresses the needs of individual juveniles and society
6 at large by promoting—

7 “(A) quality prevention programs that—

8 “(i) work with juveniles, their fami-
9 lies, local public agencies, and community-
10 based organizations, and take into consid-
11 eration such factors as whether or not ju-
12 veniles have been the victims of family vio-
13 lence (including child abuse and neglect);
14 and

15 “(ii) are designed to reduce risks and
16 develop competencies in at-risk juveniles
17 that will prevent, and reduce the rate of,
18 violent delinquent behavior; and

19 “(B) programs that assist in holding juve-
20 niles accountable for their actions, including a
21 system of graduated sanctions to respond to
22 each delinquent act, requiring juveniles to make
23 restitution, or perform community service, for
24 the damage caused by their delinquent acts,
25 and methods for increasing victim satisfaction

1 with respect to the penalties imposed on juve-
2 niles for their acts.

3 “(b) Congress must act now to reform this program
4 by focusing on juvenile delinquency prevention programs,
5 as well as programs that hold juveniles accountable for
6 their acts. Without true reform, the juvenile justice system
7 will not be able to overcome the challenges it will face in
8 the coming years when the number of juveniles is expected
9 to increase by 18 percent between 2000 and 2030.”.

10 **SEC. 3. PURPOSE.**

11 Section 102 of the Juvenile Justice and Delinquency
12 Prevention Act of 1974 (42 U.S.C. 5602) is amended to
13 read as follows:

14 “PURPOSES

15 “SEC. 102. The purposes of this title and title II
16 are—

17 “(1) to support State and local programs that
18 prevent juvenile involvement in delinquent behavior;

19 “(2) to assist State and local governments in
20 promoting public safety by encouraging account-
21 ability for acts of juvenile delinquency; and

22 “(3) to assist State and local governments in
23 addressing juvenile crime through the provision of
24 technical assistance, research, training, evaluation,
25 and the dissemination of information on effective
26 programs for combating juvenile delinquency.”.

1 **SEC. 4. DEFINITIONS.**

2 Section 103 of the Juvenile Justice and Delinquency
3 Prevention Act of 1974 (42 U.S.C. 5603) is amended—

4 (1) in paragraph (3) by striking “to help pre-
5 vent juvenile delinquency” and inserting “designed
6 to reduce known risk factors for juvenile delinquent
7 behavior, provides activities that build on protective
8 factors for, and develop competencies in, juveniles to
9 prevent, and reduce the rate of, delinquent juvenile
10 behavior”,

11 (2) in paragraph (4) by inserting “title I of”
12 before “the Omnibus” each place it appears,

13 (3) in paragraph (7) by striking “the Trust
14 Territory of the Pacific Islands,”,

15 (4) in paragraph (9) by striking “justice” and
16 inserting “crime control”,

17 (5) in paragraph (12)(B) by striking “, of any
18 nonoffender,”,

19 (6) in paragraph (13)(B) by striking “, any
20 non-offender,”,

21 (7) in paragraph (14) by inserting “drug traf-
22 ficking,” after “assault,”,

23 (8) in paragraph (16)—

24 (A) in subparagraph (A) by adding “and”
25 at the end, and

26 (B) by striking subparagraph (C),

1 (9) by striking paragraph (17),

2 (10) in paragraph (22)—

3 (A) by redesignating subparagraphs (i),

4 (ii), and (iii) as subparagraphs (A), (B), and

5 (C), respectively, and

6 (B) by striking “and” at the end,

7 (11) in paragraph (23) by striking the period at

8 the end and inserting a semicolon,

9 (12) by redesignating paragraphs (18), (19),

10 (20), (21), (22), and (22) as paragraphs (17)

11 through (22), respectively, and

12 (13) by adding at the end the following:

13 “(23) the term ‘boot camp’ means a residential

14 program (excluding a program in a private resi-

15 dence) that provides—

16 “(A) a highly regimented schedule of dis-

17 cipline, physical training, work, drill, and cere-

18 mony characteristic of military basic training;

19 “(B) regular, remedial, special, and voca-

20 tional education; and

21 “(C) counseling and treatment for sub-

22 stance abuse and other health and mental

23 health problems; or

1 and that is based on sound scientific research dem-
2 onstrating its effectiveness for reducing the rates of
3 recidivism among participants.

4 “(24) the term ‘graduated sanctions’ means an
5 accountability-based, graduated series of sanctions
6 (including incentives, treatment, and services) appli-
7 cable to juveniles within the juvenile justice system
8 to hold such juveniles accountable for their actions
9 and to protect communities from the effects of juve-
10 nile delinquency by providing appropriate sanctions
11 for every act for which a juvenile is adjudicated de-
12 linquent, by inducing their law-abiding behavior, and
13 by preventing their subsequent involvement with the
14 juvenile justice system;

15 “(25) the term ‘prohibited physical contact’
16 means—

17 “(i) any physical contact between a
18 juvenile and an adult inmate; and

19 “(ii) proximity that provides an op-
20 portunity for physical contact between a
21 juvenile and an adult inmate;

22 “(26) the term ‘sustained oral and visual con-
23 tact’ means the imparting or interchange of speech
24 by or between an adult inmate and a juvenile, or

1 clear visual contact between an adult inmate and a
2 juvenile in close proximity, but does not include—

3 “(A) brief communication or brief visual
4 contact that is accidental or incidental; or

5 “(B) sounds or noises that cannot reason-
6 ably be considered to be speech;

7 “(27) the term “adult inmate” means an indi-
8 vidual who—

9 “(A) has reached the age of full crimi-
10 nal responsibility under applicable State
11 law; and

12 “(B) has been arrested and is in cus-
13 tody for or awaiting trial on a criminal
14 charge, or is convicted of a criminal of-
15 fense;

16 “(28) the term ‘violent crime’ means—

17 “(A) murder or nonnegligent man-
18 slaughter, forcible rape, or robbery, or

19 “(B) aggravated assault committed with
20 the use of a firearm;

21 “(29) the term ‘collocated facilities’ means fa-
22 cilities that are located in the same building, or are
23 part of a related complex of buildings located on the
24 same grounds; and

1 “(30) the term ‘related complex of buildings’
2 means 2 or more buildings that share—

3 “(A) physical features, such as walls and
4 fences, or services beyond mechanical services
5 (heating, air conditioning, water and sewer); or

6 “(B) the specialized services that are al-
7 lowable under section 31.303(e)(3)(i)(C)(3) of
8 title 28 of the Code of Federal Regulations, as
9 in effect on December 10, 1996.”.

10 **SEC. 5. NAME OF OFFICE.**

11 Title II of the Juvenile Justice and Delinquency Pre-
12 vention Act of 1974 (42 U.S.C. 5611 et seq.) is
13 amended—

14 (1) by amending the heading of part A to read
15 as follows:

16 “PART A—OFFICE OF JUVENILE CRIME CONTROL AND
17 DELINQUENCY PREVENTION”,

18 (2) in section 201(a) by striking “Justice and
19 Delinquency Prevention” and inserting “Crime Con-
20 trol and Delinquency Prevention”, and

21 (3) in subsections section 299A(c)(2) by strik-
22 ing “Justice and Delinquency Prevention” and in-
23 serting “Crime Control and Delinquency Preven-
24 tion”.

1 **SEC. 6. CONCENTRATION OF FEDERAL EFFORT.**

2 Section 204 of the Juvenile Justice and Delinquency
3 Prevention Act of 1974 (42 U.S.C. 5614) is amended—

4 (1) in subsection (a)(1) by striking the last sen-
5 tence,

6 (2) in subsection (b)—

7 (A) in paragraph (3) by striking “and of
8 the prospective” and all that follows through
9 “administered”,

10 (B) by striking paragraph (5), and

11 (C) by redesignating paragraphs (6) and
12 (7) as paragraphs (5) and (6), respectively,

13 (3) in subsection (c) by striking “and reports”
14 and all that follows through “this part”, and insert-
15 ing “as may be appropriate to prevent the duplica-
16 tion of efforts, and to coordinate activities, related to
17 the prevention of juvenile delinquency”,

18 (4) by striking subsection (i), and

19 (5) by redesignating subsection (h) as sub-
20 section (f).

21 **SEC. 7. COORDINATING COUNCIL ON JUVENILE JUSTICE**
22 **AND DELINQUENCY PREVENTION.**

23 Section 206 of the Juvenile Justice and Delinquency
24 Prevention Act of 1974 (42 U.S.C. 5616) is repealed.

1 **SEC. 8. ANNUAL REPORT.**

2 Section 207 of the Juvenile Justice and Delinquency
3 Prevention Act of 1974 (42 U.S.C. 5617) is amended—

4 (1) in paragraph (2)—

5 (A) by inserting “and” after “priorities,”,

6 and

7 (B) by striking “, and recommendations of
8 the Council”,

9 (2) by striking paragraphs (4) and (5), and in-
10 sserting the following:

11 “(4) An evaluation of the programs funded
12 under this title and their effectiveness in reducing
13 the incidence of juvenile delinquency, particularly
14 violent crime, committed by juveniles.”, and

15 (3) by redesignating such section as section
16 206.

17 **SEC. 9. ALLOCATION.**

18 Section 222 of the Juvenile Justice and Delinquency
19 Prevention Act of 1974 (42 U.S.C. 5632) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (2)—

22 (i) in subparagraph (A)—

23 (I) by striking “amount, up to
24 \$400,000,” and inserting “amount up
25 to \$400,000”,

1 (II) by inserting a comma after
2 “1992” the 1st place it appears,
3 (III) by striking “the Trust Ter-
4 ritory of the Pacific Islands,” and
5 (IV) by striking “amount, up to
6 \$100,000,” and inserting “amount up
7 to \$100,000”,
8 (ii) in subparagraph (B)—
9 (I) by striking “(other than part
10 D)”,
11 (II) by striking “or such greater
12 amount, up to \$600,000” and all that
13 follows through “section 299(a) (1)
14 and (3)”,
15 (III) by striking “the Trust Ter-
16 ritory of the Pacific Islands,”,
17 (IV) by striking “amount, up to
18 \$100,000,” and inserting “amount up
19 to \$100,000”, and
20 (V) by inserting a comma after
21 “1992”,
22 (B) in paragraph (3) by striking “allot”
23 and inserting “allocate”, and
24 (2) in subsection (b) by striking “the Trust
25 Territory of the Pacific Islands,”.

1 **SEC. 10. STATE PLANS.**

2 Section 223 of the Juvenile Justice and Delinquency
3 Prevention Act of 1974 (42 U.S.C. 5633) is amended—

4 (1) in subsection (a)—

5 (A) in the 2d sentence by striking “chal-
6 lenge” and all that follows through “part E”,
7 and inserting “, projects, and activities”,

8 (B) in paragraph (3)—

9 (i) by striking “, which—” and insert-
10 ing “that—”,

11 (ii) in subparagraph (A)—

12 (I) by striking “not less” and all
13 that follows through “33”, and insert-
14 ing “the attorney general of the State
15 or such other State official who has
16 primary responsibility for overseeing
17 the enforcement of State criminal
18 laws, and”,

19 (II) by inserting “, in consulta-
20 tion with the attorney general of the
21 State or such other State official who
22 has primary responsibility for over-
23 seeing the enforcement of State crimi-
24 nal laws” after “State”,

25 (III) in clause (i) by striking “or
26 the administration of juvenile justice”

1 and inserting “, the administration of
2 juvenile justice, or the reduction of ju-
3 venile delinquency”,

4 (IV) in clause (ii) by striking “in-
5 clude—” and all that follows through
6 the semicolon at the end of subclause
7 (VIII), and inserting the following:

8 “represent a multidisciplinary approach to
9 addressing juvenile delinquency and may
10 include—

11 “(I) individuals who represent
12 units of general local government, law
13 enforcement and juvenile justice agen-
14 cies, public agencies concerned with
15 the prevention and treatment of juve-
16 nile delinquency and with the adju-
17 dication of juveniles, juveniles, or non-
18 profit private organizations, particu-
19 larly such organizations that serve ju-
20 veniles; and

21 “(II) such other individuals as
22 the chief executive officer considers to
23 be appropriate; and”, and

24 (V) by striking clauses (iv) and
25 (v),

1 (iii) in subparagraph (C) by striking
2 “justice” and inserting “crime control”,
3 (iv) in subparagraph (D)—
4 (I) in clause (i) by inserting
5 “and” at the end,
6 (II) in clause (ii) by striking
7 “paragraphs” and all that follows
8 through “part E”, and inserting
9 “paragraphs (11), (12), and (13)”,
10 and
11 (III) by striking clause (iii), and
12 (v) in subparagraph (E) by striking
13 “title—” and all that follows through
14 “(ii)” and inserting “title,”,
15 (C) in paragraph (5)—
16 (i) in the matter preceding subpara-
17 graph (A)—
18 (I) by striking “66 $\frac{2}{3}$ ” and in-
19 serting “75”, and
20 (II) by striking “, other than”
21 and inserting “reduced by the per-
22 centage (if any) specified by the State
23 under the authority of paragraph (25)
24 and excluding” after “section 222”,
25 and

1 “(ii) in subparagraph (C) by striking
2 “paragraphs (12)(A), (13), and (14)” and
3 inserting “paragraphs (11), (12), and
4 (13)”,
5 (D) by striking paragraph (6),
6 (E) in paragraph (7) by inserting “, in-
7 cluding in rural areas” before the semicolon at
8 the end,
9 (F) in paragraph (8)—
10 (i) in subparagraph (A)—
11 (I) by striking “for (i)” and all
12 that follows through “relevant juris-
13 diction”, and inserting “for an anal-
14 ysis of juvenile delinquency problems
15 in, and the juvenile delinquency con-
16 trol and delinquency prevention needs
17 (including educational needs) of, the
18 State”,
19 (II) by striking “justice” the sec-
20 ond place it appears and inserting
21 “crime control”, and
22 (III) by striking “of the jurisdic-
23 tion; (ii)” and all that follows through
24 the semicolon at the end, and insert-
25 ing “of the State; and”,

1 (ii) by amending subparagraph (B) to
2 read as follows:

3 “(B) contain—

4 “(i) a plan for providing needed gen-
5 der-specific services for the prevention and
6 treatment of juvenile delinquency;

7 “(ii) a plan for providing needed serv-
8 ices for the prevention and treatment of ju-
9 venile delinquency in rural areas; and

10 “(iii) a plan for providing needed
11 mental health services to juveniles in the
12 juvenile justice system, including informa-
13 tion on how such plan is being imple-
14 mented and how such services will be tar-
15 geted to those juveniles in such system who
16 are in greatest need of such services;”, and

17 (iii) by striking subparagraphs (C)
18 and (D),

19 (G) by amending paragraph (9) to read as
20 follows:

21 “(9) provide for the coordination and maximum
22 utilization of existing juvenile delinquency programs,
23 programs operated by public and private agencies
24 and organizations, and other related programs (such

1 as education, special education, recreation, health,
2 and welfare programs) in the State;”,

3 (H) in paragraph (10)—

4 (i) in subparagraph (A)—

5 (I) by striking “, specifically”
6 and inserting “including”,

7 (II) by striking clause (i), and

8 (III) redesignating clauses (ii)
9 and (iii) as clauses (i) and (ii), respec-
10 tively,

11 (ii) in subparagraph (C) by striking
12 “juvenile justice” and inserting “juvenile
13 crime control”,

14 (iii) by amending subparagraph (D) to
15 read as follows:

16 “(D) programs that provide treatment to
17 juvenile offenders who are victims of child
18 abuse or neglect, and to their families, in order
19 to reduce the likelihood that such juvenile of-
20 fenders will commit subsequent violations of
21 law;”,

22 (iv) in subparagraph (E)—

23 (I) by redesignating clause (ii) as
24 clause (iii), and

1 (II) by striking “juveniles, pro-
2 vided” and all that follows through
3 “provides; and”, and inserting the fol-
4 lowing:

5 “juveniles—

6 “(i) to encourage juveniles to remain
7 in elementary and secondary schools or in
8 alternative learning situations;

9 “(ii) to provide services to assist juve-
10 niles in making the transition to the world
11 of work and self-sufficiency; and”,

12 (v) by amending subparagraph (F) to
13 read as follows:

14 “(F) expanding the use of probation
15 officers—

16 “(i) particularly for the purpose of permit-
17 ting nonviolent juvenile offenders (including
18 status offenders) to remain at home with their
19 families as an alternative to incarceration or in-
20 stitutionalization; and

21 “(ii) to ensure that juveniles follow the
22 terms of their probation;”,

23 (vi) by amending subparagraph (G) to
24 read as follows:

1 “(G) one-on-one mentoring programs that
2 are designed to link at-risk juveniles and juve-
3 nile offenders, particularly juveniles residing in
4 high-crime areas and juveniles experiencing
5 educational failure, with responsible adults
6 (such as law enforcement officers, adults work-
7 ing with local businesses, and adults working
8 with community-based organizations and agen-
9 cies) who are properly screened and trained;”,
10 (vii) in subparagraph (H) by striking
11 “handicapped youth” and inserting “juve-
12 niles with disabilities”,
13 (viii) by amending subparagraph (K)
14 to read as follows:
15 “(K) boot camps for juvenile offenders;”,
16 (ix) by amending subparagraph (L) to
17 read as follows:
18 “(L) community-based programs and serv-
19 ices to work with juveniles, their parents, and
20 other family members during and after incar-
21 ceration in order to strengthen families so that
22 such juveniles may be retained in their homes;”,
23 (x) by amending subparagraph (N) to
24 read as follows:

1 “(N) establishing policies and systems to
2 incorporate relevant child protective services
3 records into juvenile justice records for pur-
4 poses of establishing treatment plans for juve-
5 nile offenders;”,

6 (xi) in subparagraph (O)—

7 (I) in striking “cultural” and in-
8 serting “other”, and

9 (II) by striking the period at the
10 end and inserting a semicolon, and

11 (xii) by adding at the end the fol-
12 lowing:

13 “(P) programs designed to prevent and to
14 reduce hate crimes committed by juveniles; and

15 “(Q) after-school programs that provide
16 at-risk juveniles and juveniles in the juvenile
17 justice system with a range of age-appropriate
18 activities, including tutoring, mentoring, and
19 other educational and enrichment activities.”,

20 (I) by amending paragraph (12) to read as
21 follows:

22 “(12) shall, in accordance with rules issued by
23 the Administrator, provide that—

24 “(A) juveniles who are charged with or
25 who have committed an offense that would not

1 be criminal if committed by an adult,
2 excluding—

3 “(i) juveniles who are charged with or
4 who have committed a violation of section
5 922(x)(2) of title 18, United States Code,
6 or of a similar State law;

7 “(ii) juveniles who are charged with or
8 who have committed a violation of a valid
9 court order; and

10 “(iii) juveniles who are held in accord-
11 ance with the Interstate Compact on Juve-
12 niles as enacted by the State;

13 shall not be placed in secure detention facilities
14 or secure correctional facilities; and

15 “(B) juveniles—

16 “(i) who are not charged with any of-
17 fense; and

18 “(ii) who are—

19 “(I) aliens; or

20 “(II) alleged to be dependent, ne-
21 glected, or abused;

22 shall not be placed in secure detention facilities
23 or secure correctional facilities;”,

24 (J) by amending paragraph (13) to read as
25 follows:

1 “(13) provide that—

2 “(A) juveniles alleged to be or found to be
3 delinquent or juveniles within the purview of
4 paragraph (11) will not be detained or confined
5 in any institution in which they have prohibited
6 physical contact or sustained oral and visual
7 contact with adult inmates; and

8 “(B) there is in effect in the State a policy
9 that requires individuals who work with both
10 such juveniles and such adult inmates, includ-
11 ing in colocated facilities, have been trained
12 and certified to work with juveniles;

13 (K) by amending paragraph (14) to read
14 as follows:

15 “(14) provide that no juvenile will be detained
16 or confined in any jail or lockup for adults except—

17 “(A) juveniles who are accused of non-
18 status offenses and who are detained in such
19 jail or lockup for a period not to exceed 6
20 hours—

21 “(i) for processing or release;

22 “(ii) while awaiting transfer to a juve-
23 nile facility; or

24 “(iii) in which period such juveniles
25 make a court appearance;

1 and only if such juveniles do not have prohib-
2 ited physical contact or sustained oral and vis-
3 ual contact with adults inmates and only if
4 there is in effect in the State a policy that re-
5 quires individuals who work with both such ju-
6 veniles and adult inmates in colocated facilities
7 have been trained and certified to work with ju-
8 veniles;

9 “(B) juveniles who are accused of non-
10 status offenses, who are awaiting an initial
11 court appearance that will occur within 48
12 hours after being taken into custody (excluding
13 Saturdays, Sundays, and legal holidays), and
14 who are detained in a jail or lockup—

15 “(i) in which—

16 “(I) such juveniles do not have
17 prohibited physical contact or sus-
18 tained oral and visual contact with
19 adults inmates; and

20 “(II) there is in effect in the
21 State a policy that requires individ-
22 uals who work with both such juve-
23 niles and adults inmates in colocated
24 facilities have been trained and cer-
25 tified to work with juveniles; and

1 “(ii) that—

2 “(I) is located outside a metro-
3 politan statistical area (as defined by
4 the Office of Management and Budg-
5 et) and has no existing acceptable al-
6 ternative placement available;

7 “(II) is located where conditions
8 of distance to be traveled or the lack
9 of highway, road, or transportation do
10 not allow for court appearances within
11 48 hours (excluding Saturdays, Sun-
12 days, and legal holidays) so that a
13 brief (not to exceed an additional 48
14 hours) delay is excusable; or

15 “(III) is located where conditions
16 of safety exist (such as severe adverse,
17 life-threatening weather conditions
18 that do not allow for reasonably safe
19 travel), in which case the time for an
20 appearance may be delayed until 24
21 hours after the time that such condi-
22 tions allow for reasonable safe travel;

23 “(C) juveniles who are accused of non-
24 status offenses and who are detained in a jail

1 or lockup that satisfies the requirements of sub-
2 paragraph (B)(i) if—

3 “(i) such jail or lockup—

4 “(I) is located outside a metro-
5 politan statistical area (as defined by
6 the Office of Management and Budg-
7 et); and

8 “(II) has no existing acceptable
9 alternative placement available;

10 “(ii) a parent or other legal guardian
11 (or guardian ad litem) of the juvenile in-
12 volved, in consultation with the counsel
13 representing the juvenile, consents to de-
14 taining such juvenile in accordance with
15 this subparagraph and has the right to re-
16 voke such consent at any time;

17 “(iii) the juvenile has counsel, and the
18 counsel representing such juvenile—

19 “(I) consults with the parents of
20 the juvenile to determine the appro-
21 priate placement of the juvenile; and

22 “(II) has an opportunity to
23 present the juvenile’s position regard-
24 ing the detention involved to the court

1 before the court approves such deten-
2 tion;;

3 “(iv) the court hears from the juvenile
4 before court approval of such placement;
5 and

6 “(v) detaining such juvenile in accord-
7 ance with this subparagraph is—

8 “(I) approved in advance by a
9 court with competent jurisdiction that
10 has determined that such placement is
11 in the best interest of such juvenile;

12 “(II) required to be reviewed pe-
13 riodically and in the presence of the
14 juvenile, at intervals of not more than
15 5 days (excluding Saturdays, Sun-
16 days, and legal holidays), by such
17 court for the duration of detention;
18 and

19 “(III) for a period preceding the
20 sentencing (if any) of such juvenile,
21 but not to exceed 20 days;”,

22 (L) in paragraph (15)—

23 (i) by striking “paragraph (12)(A),
24 paragraph (13), and paragraph (14)” and

1 inserting “paragraphs (11), (12), and
2 (13)”, and

3 (ii) by striking “paragraph (12)(A)
4 and paragraph (13)” and inserting “para-
5 graphs (11) and (12)”,

6 (M) in paragraph (16) by striking “men-
7 tally, emotionally, or physically handicapping
8 conditions” and inserting “disability”,

9 (N) by amending paragraph (19) to read
10 as follows:

11 “(19) provide assurances that—

12 “(A) any assistance provided under this
13 Act will not cause the displacement (including
14 a partial displacement, such as a reduction in
15 the hours of nonovertime work, wages, or em-
16 ployment benefits) of any currently employed
17 employee;

18 “(B) activities assisted under this Act will
19 not impair an existing collective bargaining re-
20 lationship, contract for services, or collective
21 bargaining agreement; and

22 “(C) no such activity that would be incon-
23 sistent with the terms of a collective bargaining
24 agreement shall be undertaken without the

1 written concurrence of the labor organization
2 involved;”,

3 (O) in paragraph (22) by inserting before
4 the semicolon, the following:

5 “; and that the State will not expend funds to carry
6 out a program referred to in subparagraph (A), (B),
7 or (C) of paragraph (5) if the recipient of funds who
8 carried out such program during the preceding 2-
9 year period fails to demonstrate, before the expira-
10 tion of such 2-year period, that such program
11 achieved substantial success in achieving the goals
12 specified in the application submitted by such recipi-
13 ent to the State agency”,

14 (P) by amending paragraph (23) to read
15 as follows:

16 “(23) address juvenile delinquency prevention
17 efforts and system improvement efforts designed to
18 reduce, without establishing or requiring numerical
19 standards or quotas, the disproportionate number of
20 juvenile members of minority groups, who come into
21 contact with the juvenile justice system;”,

22 (Q) by amending paragraph (24) to read
23 as follows:

1 “(24) provide that if a juvenile is taken into
2 custody for violating a valid court order issued for
3 committing a status offense—

4 “(A) an appropriate public agency shall be
5 promptly notified that such juvenile is held in
6 custody for violating such order;

7 “(B) not later than 24 hours during which
8 such juvenile is so held, an authorized rep-
9 resentative of such agency shall interview, in
10 person, such juvenile; and

11 “(C) not later than 48 hours during which
12 such juvenile is so held—

13 “(i) such representative shall submit
14 an assessment to the court that issued
15 such order, regarding the immediate needs
16 of such juvenile; and

17 “(ii) such court shall conduct a hear-
18 ing to determine—

19 “(I) whether there is reasonable
20 cause to believe that such juvenile vio-
21 lated such order; and

22 “(II) the appropriate placement
23 of such juvenile pending disposition of
24 the violation alleged;”,

1 (R) in paragraph (25) by striking the pe-
2 riod at the end and inserting a semicolon,

3 (S) by redesignating paragraphs (7)
4 through (25) as paragraphs (6) through (24),
5 respectively, and

6 (T) by adding at the end the following:

7 “(25) specify a percentage (if any), not to ex-
8 ceed 5 percent, of funds received by the State under
9 section 222 (other than funds made available to the
10 state advisory group under section 222(d)) that the
11 State will reserve for expenditure by the State to
12 provide incentive grants to units of general local gov-
13 ernment that reduce the caseload of probation offi-
14 cers within such units, and

15 “(26) provide that the State, to the maximum
16 extent practicable, will implement a system to ensure
17 that if a juvenile is before a court in the juvenile jus-
18 tice system, public child welfare records (including
19 child protective services records) relating to such ju-
20 venile that are on file in the geographical area under
21 the jurisdiction of such court will be made known to
22 such court.”, and

23 (2) by amending subsection (c) to read as fol-
24 lows:

1 “(c) If a State fails to comply with any of the applica-
2 ble requirements of paragraphs (11), (12), (13), and (23)
3 of subsection (a) in any fiscal year beginning after Sep-
4 tember 30, 2001, then the amount allocated to such State
5 for the subsequent fiscal year shall be reduced by not to
6 exceed 12.5 percent for each such paragraph with respect
7 to which the failure occurs, and—

8 “(1) the State agrees to expend 50 percent of
9 the amount allocated to the State for such fiscal
10 year to achieve compliance with any such paragraph
11 with respect to which the State is in noncompliance;
12 or

13 “(2) the Administrator determines that the
14 State—

15 “(A) has achieved substantial compliance
16 with such applicable requirements with respect
17 to which the State was not in compliance; and

18 “(B) has made, through appropriate execu-
19 tive or legislative action, an unequivocal com-
20 mitment to achieving full compliance with such
21 applicable requirements within a reasonable
22 time.”, and

23 (3) in subsection (d)—

24 (A) by striking “allotment” and inserting
25 “allocation”, and

1 (B) by striking “subsection (a) (12)(A),
2 (13), (14) and (23)” each place it appears and
3 inserting “paragraphs (11), (12), (13), and
4 (23) of subsection (a)”.

5 **SEC. 11. JUVENILE DELINQUENCY PREVENTION BLOCK**
6 **GRANT PROGRAM.**

7 Title II of the Juvenile Justice and Delinquency Pre-
8 vention Act of 1974 (42 U.S.C. 5611 et seq.) is
9 amended—

- 10 (1) by striking parts C, D, E, F, G, and H,
11 (2) by striking the 1st part I,
12 (3) by redesignating the 2d part I as part F,
13 and
14 (4) by inserting after part B the following:

15 **“PART C—JUVENILE DELINQUENCY PREVENTION**
16 **BLOCK GRANT PROGRAM**

17 **“SEC. 241. AUTHORITY TO MAKE GRANTS.**

18 “(a) GRANTS TO ELIGIBLE STATES.—The Adminis-
19 trator may make grants to eligible States, from funds allo-
20 cated under section 242, for the purpose of providing fi-
21 nancial assistance to eligible entities to carry out projects
22 designed to prevent juvenile delinquency, including—

- 23 “(1) projects that provide treatment (including
24 treatment for mental health problems) to juvenile of-
25 fenders, and juveniles who are at risk of becoming

1 juvenile offenders, who are victims of child abuse or
2 neglect or who have experienced violence in their
3 homes, at school, or in the community, and to their
4 families, in order to reduce the likelihood that such
5 juveniles will commit violations of law;

6 “(2) educational projects or supportive services
7 for delinquent or other juveniles—

8 “(A) to encourage juveniles to remain in
9 elementary and secondary schools or in alter-
10 native learning situations in educational set-
11 tings;

12 “(B) to provide services to assist juveniles
13 in making the transition to the world of work
14 and self-sufficiency;

15 “(C) to assist in identifying learning dif-
16 ficulties (including learning disabilities);

17 “(D) to prevent unwarranted and arbitrary
18 suspensions and expulsions;

19 “(E) to encourage new approaches and
20 techniques with respect to the prevention of
21 school violence and vandalism;

22 “(F) which assist law enforcement per-
23 sonnel and juvenile justice personnel to more ef-
24 fectively recognize and provide for learning-dis-
25 abled and other juveniles with disabilities;

1 “(G) which develop locally coordinated
2 policies and programs among education, juve-
3 nile justice, and social service agencies; or

4 “(H) to provide services to juveniles with
5 serious mental and emotional disturbances
6 (SED) in need of mental health services;

7 “(3) projects which expand the use of probation
8 officers—

9 “(A) particularly for the purpose of per-
10 mitting nonviolent juvenile offenders (including
11 status offenders) to remain at home with their
12 families as an alternative to incarceration or in-
13 stitutionalization; and

14 “(B) to ensure that juveniles follow the
15 terms of their probation;

16 “(4) one-on-one mentoring projects that are de-
17 signed to link at-risk juveniles and juvenile offenders
18 who did not commit serious crime, particularly juve-
19 niles residing in high-crime areas and juveniles expe-
20 riencing educational failure, with responsible adults
21 (such as law enforcement officers, adults working
22 with local businesses, and adults working for com-
23 munity-based organizations and agencies) who are
24 properly screened and trained;

1 “(5) community-based projects and services (in-
2 cluding literacy and social service programs) which
3 work with juvenile offenders and juveniles who are
4 at risk of becoming juvenile offenders, including
5 those from families with limited English-speaking
6 proficiency, their parents, their siblings, and other
7 family members during and after incarceration of
8 the juvenile offenders, in order to strengthen fami-
9 lies, to allow juvenile offenders to be retained in
10 their homes, and to prevent the involvement of other
11 juvenile family members in delinquent activities;

12 “(6) projects designed to provide for the treat-
13 ment (including mental health services) of juveniles
14 for dependence on or abuse of alcohol, drugs, or
15 other harmful substances;

16 “(7) projects which leverage funds to provide
17 scholarships for postsecondary education and train-
18 ing for low-income juveniles who reside in neighbor-
19 hoods with high rates of poverty, violence, and drug-
20 related crimes;

21 “(8) projects which provide for an initial intake
22 screening of each juvenile taken into custody—

23 “(A) to determine the likelihood that such
24 juvenile will commit a subsequent offense; and

1 “(B) to provide appropriate interventions
2 (including mental health services) to prevent
3 such juvenile from committing subsequent of-
4 fenses;

5 “(9) projects (including school- or community-
6 based projects) that are designed to prevent, and re-
7 duce the rate of, the participation of juveniles in
8 gangs that commit crimes (particularly violent
9 crimes), that unlawfully use firearms and other
10 weapons, or that unlawfully traffic in drugs and that
11 involve, to the extent practicable, families and other
12 community members (including law enforcement per-
13 sonnel and members of the business community) in
14 the activities conducted under such projects;

15 “(10) comprehensive juvenile justice and delin-
16 quency prevention projects that meet the needs of
17 juveniles through the collaboration of the many local
18 service systems juveniles encounter, including
19 schools, courts, law enforcement agencies, child pro-
20 tection agencies, mental health agencies, welfare
21 services, health care agencies, private nonprofit
22 agencies, and public recreation agencies offering
23 services to juveniles;

24 “(11) to develop, implement, and support, in
25 conjunction with public and private agencies, organi-

1 zations, and businesses, projects for the employment
2 of juveniles and referral to job training programs
3 (including referral to Federal job training pro-
4 grams);

5 “(12) delinquency prevention activities which
6 involve youth clubs, sports, recreation and parks,
7 peer counseling and teaching, the arts, leadership
8 development, community service, volunteer service,
9 before- and after-school programs, violence preven-
10 tion activities, mediation skills training, camping,
11 environmental education, ethnic or cultural enrich-
12 ment, tutoring, and academic enrichment;

13 “(13) to establish policies and systems to incor-
14 porate relevant child protective services records into
15 juvenile justice records for purposes of establishing
16 treatment plans for juvenile offenders;

17 “(14) programs that encourage social com-
18 petencies, problem-solving skills, and communication
19 skills, youth leadership, and civic involvement;

20 “(15) programs that focus on the needs of
21 young girls at-risk of delinquency or status offenses;

22 “(16) projects which provide for—

23 “(A) an assessment by a qualified mental
24 health professional of incarcerated juveniles

1 who are suspected to be in need of mental
2 health services;

3 “(B) the development of an individualized
4 treatment plan for those incarcerated juveniles
5 determined to be in need of such services;

6 “(C) the inclusion of a discharge plan for
7 incarcerated juveniles receiving mental health
8 services that addresses aftercare services; and

9 “(D) all juveniles receiving psychotropic
10 medications to be under the care of a licensed
11 mental health professional;

12 “(17) after-school programs that provide at-risk
13 juveniles and juveniles in the juvenile justice system
14 with a range of age-appropriate activities, including
15 tutoring, mentoring, and other educational and en-
16 richment activities;

17 “(18) programs related to the establishment
18 and maintenance of a school violence hotline, based
19 on a public-private partnership, that students and
20 parents can use to report suspicious, violent, or
21 threatening behavior to local school and law enforce-
22 ment authorities;

23 “(19) programs (excluding programs to pur-
24 chase guns from juveniles) designed to reduce the
25 unlawful acquisition and illegal use of guns by juve-

1 niles, including partnerships between law enforce-
2 ment agencies, health professionals, school officials,
3 firearms manufacturers, consumer groups, faith-
4 based groups and community organizations; and
5 “(20) other activities that are likely to prevent
6 juvenile delinquency.

7 “(b) GRANTS TO ELIGIBLE INDIAN TRIBES.—The
8 Administrator may make grants to eligible Indian tribes
9 from funds allocated under section 242(b), to carry out
10 projects of the kinds described in subsection (a).

11 **“SEC. 242. ALLOCATION.**

12 “(a) ALLOCATION AMONG ELIGIBLE STATES.—Sub-
13 ject to subsection (b), funds appropriated to carry out this
14 part shall be allocated among eligible States proportion-
15 ately based on the population that is less than 18 years
16 of age in the eligible States.

17 “(b) ALLOCATION AMONG INDIAN TRIBES COLLEC-
18 TIVELY.—Before allocating funds under subsection (a)
19 among eligible States, the Administrator shall allocate
20 among eligible Indian tribes as determined under section
21 246(a), an aggregate amount equal to the amount such
22 tribes would be allocated under subsection (a), and with-
23 out regard to this subsection, if such tribes were treated
24 collectively as an eligible State.

1 **“SEC. 243. ELIGIBILITY OF STATES.**

2 “(a) APPLICATION.—To be eligible to receive a grant
3 under section 241, a State shall submit to the Adminis-
4 trator an application that contains the following:

5 “(1) An assurance that the State will use—

6 “(A) not more than 5 percent of such
7 grant, in the aggregate, for—

8 “(i) the costs incurred by the State to
9 carry out this part; and

10 “(ii) to evaluate, and provide technical
11 assistance relating to, projects and activi-
12 ties carried out with funds provided under
13 this part; and

14 “(B) the remainder of such grant to make
15 grants under section 244.

16 “(2) An assurance that, and a detailed descrip-
17 tion of how, such grant will support, and not sup-
18 plant State and local efforts to prevent juvenile de-
19 linquency.

20 “(3) An assurance that such application was
21 prepared after consultation with and participation by
22 community-based organizations, and organizations in
23 the local juvenile justice system, that carry out pro-
24 grams, projects, or activities to prevent juvenile de-
25 linquency.

1 “(4) An assurance that each eligible entity de-
2 scribed in section 244 that receives an initial grant
3 under section 244 to carry out a project or activity
4 shall also receive an assurance from the State that
5 such entity will receive from the State, for the subse-
6 quent fiscal year to carry out such project or activ-
7 ity, a grant under such section in an amount that
8 is proportional, based on such initial grant and on
9 the amount of the grant received under section 241
10 by the State for such subsequent fiscal year, but
11 that does not exceed the amount specified for such
12 subsequent fiscal year in such application as ap-
13 proved by the State.

14 “(5) Such other information and assurances as
15 the Administrator may reasonably require by rule.

16 “(b) APPROVAL OF APPLICATIONS.—

17 “(1) APPROVAL REQUIRED.—Subject to para-
18 graph (2), the Administrator shall approve an appli-
19 cation, and amendments to such application sub-
20 mitted in subsequent fiscal years, that satisfy the re-
21 quirements of subsection (a).

22 “(2) LIMITATION.—The Administrator may not
23 approve such application (including amendments to
24 such application) for a fiscal year unless—

1 “(A)(i) the State submitted a plan under
2 section 223 for such fiscal year; and

3 “(ii) such plan is approved by the Adminis-
4 trator for such fiscal year; or

5 “(B) the Administrator waives the applica-
6 tion of subparagraph (A) to such State for such
7 fiscal year, after finding good cause for such a
8 waiver.

9 **“SEC. 244. GRANTS FOR LOCAL PROJECTS.**

10 “(a) GRANTS BY STATES.—Using a grant received
11 under section 241, a State may make grants to eligible
12 entities whose applications are received by the State to
13 carry out projects and activities described in section 241.

14 “(b) SPECIAL CONSIDERATION.—For purposes of
15 making grants under subsection (a), the State shall give
16 special consideration to eligible entities that—

17 “(1) propose to carry out such projects in geo-
18 graphical areas in which there is—

19 “(A) a disproportionately high level of seri-
20 ous crime committed by juveniles; or

21 “(B) a recent rapid increase in the number
22 of nonstatus offenses committed by juveniles;

23 “(2)(A) agreed to carry out such projects or ac-
24 tivities that are multidisciplinary and involve more
25 than 2 private nonprofit agencies, organizations, and

1 institutions that have experience dealing with juve-
2 niles; or

3 “(B) represent communities that have a com-
4 prehensive plan designed to identify at-risk juveniles
5 and to prevent or reduce the rate of juvenile delin-
6 quency, and that involve other entities operated by
7 individuals who have a demonstrated history of in-
8 volvement in activities designed to prevent juvenile
9 delinquency; and

10 “(3) the amount of resources (in cash or in
11 kind) such entities will provide to carry out such
12 projects and activities.

13 **“SEC. 245. ELIGIBILITY OF ENTITIES.**

14 “(a) ELIGIBILITY.—Except as provided in subsection
15 (b), to be eligible to receive a grant under section 244,
16 a unit of general purpose local government, acting jointly
17 with not fewer than 2 private nonprofit agencies, organiza-
18 tions, and institutions that have experience dealing with
19 juveniles, shall submit to the State an application that
20 contains the following:

21 “(1) An assurance that such applicant will use
22 such grant, and each such grant received for the
23 subsequent fiscal year, to carry out throughout a 2-
24 year period a project or activity described in reason-
25 able detail, and of a kind described in one or more

1 of paragraphs (1) through (20) of section 241(a) as
2 specified in, such application.

3 “(2) A statement of the particular goals such
4 project or activity is designed to achieve, and the
5 methods such entity will use to achieve, and assess
6 the achievement of, each of such goals.

7 “(3) A statement identifying the research (if
8 any) such entity relied on in preparing such applica-
9 tion.

10 “(b) LIMITATION.—If an eligible entity that receives
11 a grant under section 244 to carry out a project or activity
12 for a 2-year period, and receives technical assistance from
13 the State or the Administrator after requesting such tech-
14 nical assistance (if any), fails to demonstrate, before the
15 expiration of such 2-year period, that such project or such
16 activity has achieved substantial success in achieving the
17 goals specified in the application submitted by such entity
18 to receive such grants, then such entity shall not be eligi-
19 ble to receive any subsequent grant under such section to
20 continue to carry out such project or activity.

21 **“SEC. 246. GRANTS TO INDIAN TRIBES.**

22 “(a) ELIGIBILITY.—

23 “(1) APPLICATION.—To be eligible to receive a
24 grant under section 241(b), an Indian tribe shall
25 submit to the Administrator an application in ac-

1 cordance with this section, in such form and con-
2 taining such information as the Administrator may
3 require by rule.

4 “(2) PLANS.—Such application shall include a
5 plan for conducting programs, projects, and activi-
6 ties described in section 241(a), which plan shall—

7 “(A) provide evidence that the applicant
8 Indian tribe performs law enforcement func-
9 tions (as determined by the Secretary of the In-
10 terior);

11 “(B) identify the juvenile justice and delin-
12 quency problems and juvenile delinquency pre-
13 vention needs to be addressed by activities con-
14 ducted with funds provided by the grant for
15 which such application is submitted, by the In-
16 dian tribe in the geographical area under the
17 jurisdiction of the Indian tribe;

18 “(C) provide for fiscal control and account-
19 ing procedures that—

20 “(i) are necessary to ensure the pru-
21 dent use, proper disbursement, and ac-
22 counting of grants received by applicants
23 under this section; and

24 “(ii) are consistent with the require-
25 ment specified in subparagraph (B); and

1 “(D) comply with the requirements speci-
2 fied in section 223(a) (excluding any require-
3 ment relating to consultation with a State advi-
4 sory group) and with the requirements specified
5 in section 222(c); and

6 “(E) contain such other information, and
7 be subject to such additional requirements, as
8 the Administrator may reasonably require by
9 rule to ensure the effectiveness of the projects
10 for which grants are made under section
11 241(b).

12 “(b) FACTORS FOR CONSIDERATION.—For the pur-
13 pose of selecting eligible applicants to receive grants under
14 section 241(b), the Administrator shall consider—

15 “(1) the resources that are available to each ap-
16 plicant Indian tribe that will assist, and be coordi-
17 nated with, the overall juvenile justice system of the
18 Indian tribe; and

19 “(2) with respect to each such applicant—

20 “(A) the juvenile population; and

21 “(B) the population and the entities that
22 will be served by projects proposed to be carried
23 out with the grant for which the application is
24 submitted.

25 “(c) GRANT PROCESS.—

1 “(1) SELECTION OF GRANT RECIPIENTS.—

2 “(A) SELECTION REQUIREMENTS.—Except
3 as provided in paragraph (2), the Administrator
4 shall—

5 “(i) make grants under this section on
6 a competitive basis; and

7 “(ii) specify in writing to each appli-
8 cant selected to receive a grant under this
9 section, the terms and conditions on which
10 such grant is made to such applicant.

11 “(B) PERIOD OF GRANT.—A grant made
12 under this section shall be available for expendi-
13 ture during a 2-year period.

14 “(2) EXCEPTION.—If—

15 “(A) in the 2-year period for which a grant
16 made under this section shall be expended, the
17 recipient of such grant applies to receive a sub-
18 sequent grant under this section; and

19 “(B) the Administrator determines that
20 such recipient performed during the year pre-
21 ceding the 2-year period for which such recipi-
22 ent applies to receive such subsequent grant
23 satisfactorily and in accordance with the terms
24 and conditions applicable to the grant received;

1 then the Administrator may waive the application of
2 the competition-based requirement specified in para-
3 graph (1)(A)(i) and may allow the applicant to in-
4 corporate by reference in the current application the
5 text of the plan contained in the recipient's most re-
6 cent application previously approved under this sec-
7 tion.

8 “(3) AUTHORITY TO MODIFY APPLICATION
9 PROCESS FOR SUBSEQUENT GRANTS.—The Adminis-
10 trator may modify by rule the operation of sub-
11 section (a) with respect to the submission and con-
12 tents of applications for subsequent grants described
13 in paragraph (2).

14 “(d) REPORTING REQUIREMENT.—Each Indian tribe
15 that receives a grant under this section shall be subject
16 to the fiscal accountability provisions of section 5(f)(1) of
17 the Indian Self-Determination and Education Assistance
18 Act (25 U.S.C. 450c(f)(1)), relating to the submission of
19 a single-agency audit report required by chapter 75 of title
20 31, United States Code.

21 “(e) MATCHING REQUIREMENT.—(1) Funds appro-
22 priated for the activities of any agency of an Indian tribal
23 government or the Bureau of Indian Affairs performing
24 law enforcement functions on any Indian lands may be
25 used to provide the non-Federal share of any program or

1 project with a matching requirement funded under this
2 section.

3 “(2) Paragraph (1) shall not apply with respect to
4 funds appropriated before the date of the enactment of
5 the Juvenile Crime Control and Delinquency Prevention
6 Act of 2001.

7 “(3) If the Administrator determines that an Indian
8 tribe does not have sufficient funds available to meet the
9 non-Federal share of the cost of any program or activity
10 to be funded under the grant, the Administrator may in-
11 crease the Federal share of the cost thereof to the extent
12 the Administrator deems necessary.”.

13 **SEC. 12. RESEARCH; EVALUATION; TECHNICAL ASSIST-**
14 **ANCE; TRAINING.**

15 Title II of the Juvenile Justice and Delinquency Pre-
16 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended
17 by inserting after part C, as added by section 11, the fol-
18 lowing:

19 **“PART D—RESEARCH; EVALUATION; TECHNICAL**
20 **ASSISTANCE; TRAINING**

21 **“SEC. 251. RESEARCH AND EVALUATION; STATISTICAL**
22 **ANALYSES; INFORMATION DISSEMINATION**

23 “(a) RESEARCH AND EVALUATION.—(1) The Admin-
24 istrator may—

1 “(A) plan and identify, after consultation with
2 the Director of the National Institute of Justice, the
3 purposes and goals of all agreements carried out
4 with funds provided under this subsection; and

5 “(B) make agreements with the National Insti-
6 tute of Justice or, subject to the approval of the As-
7 sistant Attorney General for the Office of Justice
8 Programs, with another Federal agency authorized
9 by law to conduct research or evaluation in juvenile
10 justice matters, for the purpose of providing re-
11 search and evaluation relating to—

12 “(i) the prevention, reduction, and control
13 of juvenile delinquency and serious crime com-
14 mitted by juveniles;

15 “(ii) the link between juvenile delinquency
16 and the incarceration of members of the fami-
17 lies of juveniles;

18 “(iii) successful efforts to prevent first-
19 time minor offenders from committing subse-
20 quent involvement in serious crime;

21 “(iv) successful efforts to prevent recidi-
22 vism;

23 “(v) the juvenile justice system;

24 “(vi) juvenile violence;

1 “(vii) appropriate mental health services
2 for juveniles and youth at risk of participating
3 in delinquent activities;

4 “(viii) reducing the proportion of juveniles
5 detained or confined in secure detention facili-
6 ties, secure correctional facilities, jails, and
7 lockups who are members of minority groups;
8 and

9 “(ix) other purposes consistent with the
10 purposes of this title and title I.

11 “(2) The Administrator shall ensure that an equi-
12 table amount of funds available to carry out paragraph
13 (1)(B) is used for research and evaluation relating to the
14 prevention of juvenile delinquency.

15 “(b) STATISTICAL ANALYSES.—The Administrator
16 may—

17 “(1) plan and identify, after consultation with
18 the Director of the Bureau of Justice Statistics, the
19 purposes and goals of all agreements carried out
20 with funds provided under this subsection; and

21 “(2) make agreements with the Bureau of Jus-
22 tice Statistics, or subject to the approval of the As-
23 sistant Attorney General for the Office of Justice
24 Programs, with another Federal agency authorized
25 by law to undertake statistical work in juvenile jus-

1 tice matters, for the purpose of providing for the col-
2 lection, analysis, and dissemination of statistical
3 data and information relating to juvenile delinquency
4 and serious crimes committed by juveniles, to the ju-
5 venile justice system, to juvenile violence, and to
6 other purposes consistent with the purposes of this
7 title and title I.

8 “(c) COMPETITIVE SELECTION PROCESS.—The Ad-
9 ministrator shall use a competitive process, established by
10 rule by the Administrator, to carry out subsections (a) and
11 (b).

12 “(d) IMPLEMENTATION OF AGREEMENTS.—A Fed-
13 eral agency that makes an agreement under subsections
14 (a)(1)(B) and (b)(2) with the Administrator may carry out
15 such agreement directly or by making grants to or con-
16 tracts with public and private agencies, institutions, and
17 organizations.

18 “(e) INFORMATION DISSEMINATION.—The Adminis-
19 trator may—

20 “(1) review reports and data relating to the ju-
21 venile justice system in the United States and in for-
22 eign nations (as appropriate), collect data and infor-
23 mation from studies and research into all aspects of
24 juvenile delinquency (including the causes, preven-

1 tion, and treatment of juvenile delinquency) and se-
2 rious crimes committed by juveniles;

3 “(2) establish and operate, directly or by con-
4 tract, a clearinghouse and information center for the
5 preparation, publication, and dissemination of infor-
6 mation relating to juvenile delinquency, including
7 State and local prevention and treatment programs,
8 plans, resources, and training and technical assist-
9 ance programs; and

10 “(3) make grants and contracts with public and
11 private agencies, institutions, and organizations, for
12 the purpose of disseminating information to rep-
13 resentatives and personnel of public and private
14 agencies, including practitioners in juvenile justice,
15 law enforcement, the courts, corrections, schools,
16 and related services, in the establishment, implemen-
17 tation, and operation of projects and activities for
18 which financial assistance is provided under this
19 title.

20 **“SEC. 252. TRAINING AND TECHNICAL ASSISTANCE.**

21 “(a) TRAINING.—The Administrator may—

22 “(1) develop and carry out projects for the pur-
23 pose of training representatives and personnel of
24 public and private agencies, including practitioners
25 in juvenile justice, law enforcement, courts (includ-

1 ing model juvenile and family courts), corrections,
2 schools, and related services, to carry out the pur-
3 poses specified in section 102; and

4 “(2) make grants to and contracts with public
5 and private agencies, institutions, and organizations
6 for the purpose of training representatives and per-
7 sonnel of public and private agencies, including prac-
8 titioners in juvenile justice, law enforcement, courts
9 (including model juvenile and family courts), correc-
10 tions, schools, and related services, to carry out the
11 purposes specified in section 102.

12 “(b) TECHNICAL ASSISTANCE.—The Administrator
13 may—

14 “(1) develop and implement projects for the
15 purpose of providing technical assistance to rep-
16 resentatives and personnel of public and private
17 agencies and organizations, including practitioners
18 in juvenile justice, law enforcement, courts (includ-
19 ing model juvenile and family courts), corrections,
20 schools, and related services, in the establishment,
21 implementation, and operation of programs, projects,
22 and activities for which financial assistance is pro-
23 vided under this title; and

24 “(2) make grants to and contracts with public
25 and private agencies, institutions, and organizations,

1 for the purpose of providing technical assistance to
2 representatives and personnel of public and private
3 agencies, including practitioners in juvenile justice,
4 law enforcement, courts (including model juvenile
5 and family courts), corrections, schools, and related
6 services, in the establishment, implementation, and
7 operation of programs, projects, and activities for
8 which financial assistance is provided under this
9 title.

10 “(c) TRAINING AND TECHNICAL ASSISTANCE TO
11 MENTAL HEALTH PROFESSIONALS AND LAW ENFORCE-
12 MENT PERSONNEL.—The Administrator shall provide
13 training and technical assistance to mental health profes-
14 sionals and law enforcement personnel (including public
15 defenders, police officers, probation officers, judges, parole
16 officials, and correctional officers) to address or to pro-
17 mote the development, testing, or demonstration of prom-
18 ising or innovative models (including model juvenile and
19 family courts), programs, or delivery systems that address
20 the needs of juveniles who are alleged or adjudicated delin-
21 quent and who, as a result of such status, are placed in
22 secure detention or confinement or in nonsecure residen-
23 tial placements.”.

1 **SEC. 13. DEMONSTRATION PROJECTS.**

2 Title II of the Juvenile Justice and Delinquency Pre-
3 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended
4 by inserting after part D, as added by section 12, the fol-
5 lowing:

6 **“PART E—DEVELOPING, TESTING, AND DEM-**
7 **ONSTRATING PROMISING NEW INITIATIVES**
8 **AND PROGRAMS**

9 **“SEC. 261. GRANTS AND PROJECTS.**

10 “(a) **AUTHORITY TO MAKE GRANTS.**—The Adminis-
11 trator may make grants to and contracts with States,
12 units of general local government, Indian tribal govern-
13 ments, public and private agencies, organizations, and in-
14 dividuals, or combinations thereof, to carry out projects
15 for the development, testing, and demonstration of prom-
16 ising initiatives and programs for the prevention, control,
17 or reduction of juvenile delinquency. The Administrator
18 shall ensure that, to the extent reasonable and practicable,
19 such grants are made to achieve an equitable geographical
20 distribution of such projects throughout the United
21 States.

22 “(b) **USE OF GRANTS.**—A grant made under sub-
23 section (a) may be used to pay all or part of the cost of
24 the project for which such grant is made.

1 **“SEC. 262. GRANTS FOR TECHNICAL ASSISTANCE.**

2 “The Administrator may make grants to and con-
3 tracts with public and private agencies, organizations, and
4 individuals to provide technical assistance to States, units
5 of general local government, Indian tribal governments,
6 local private entities or agencies, or any combination
7 thereof, to carry out the projects for which grants are
8 made under section 261.

9 **“SEC. 263. ELIGIBILITY.**

10 “To be eligible to receive a grant made under this
11 part, a public or private agency, Indian tribal government,
12 organization, institution, individual, or combination there-
13 of shall submit an application to the Administrator at such
14 time, in such form, and containing such information as
15 the Administrator may reasonably require by rule.

16 **“SEC. 264. REPORTS.**

17 “Recipients of grants made under this part shall sub-
18 mit to the Administrator such reports as may be reason-
19 ably requested by the Administrator to describe progress
20 achieved in carrying the projects for which such grants
21 are made.”.

22 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 299 of the Juvenile Justice and Delinquency
24 Prevention Act of 1974 (42 U.S.C. 5671) is amended—

25 (1) by striking subsection (e), and

1 (2) by striking subsections (a), (b), and (c), and
2 inserting the following:

3 “(a) AUTHORIZATION OF APPROPRIATIONS FOR
4 TITLE II (EXCLUDING PARTS C AND E).—(1) There are
5 authorized to be appropriated to carry out this title such
6 sums as may be appropriate for fiscal years 2002, 2003,
7 2004, 2005, and 2006.

8 “(2) Of such sums as are appropriated for a fiscal
9 year to carry out this title (other than parts C and E)—
10 “(A) not more than 5 percent shall be available
11 to carry out part A;

12 “(B) not less than 80 percent shall be available
13 to carry out part B; and

14 “(C) not more than 15 percent shall be avail-
15 able to carry out part D.

16 “(b) AUTHORIZATION OF APPROPRIATIONS FOR
17 PART C.—There are authorized to be appropriated to
18 carry out part C such sums as may be necessary for fiscal
19 years 2002, 2003, 2004, 2005, and 2006.

20 “(c) AUTHORIZATION OF APPROPRIATIONS FOR PART
21 E.—There are authorized to be appropriated to carry out
22 part E, and authorized to remain available until expended,
23 such sums as may be necessary for fiscal years 2002,
24 2003, 2004, 2005, and 2006.”.

1 **SEC. 15. ADMINISTRATIVE AUTHORITY.**

2 Section 299A of the Juvenile Justice and Delin-
3 quency Prevention Act of 1974 (42 U.S.C. 5672) is
4 amended—

5 (1) in subsection (d) by striking “as are con-
6 sistent with the purpose of this Act” and inserting
7 “only to the extent necessary to ensure that there is
8 compliance with the specific requirements of this
9 title or to respond to requests for clarification and
10 guidance relating to such compliance”, and

11 (2) by adding at the end the following:

12 “(e) If a State requires by law compliance with the
13 requirements described in paragraphs (11), (12), and (13)
14 of section 223(a), then for the period such law is in effect
15 in such State such State shall be rebuttably presumed to
16 satisfy such requirements.”.

17 **SEC. 16. USE OF FUNDS.**

18 Section 299C of the Juvenile Justice and Delin-
19 quency Prevention Act of 1974 (42 U.S.C. 5674) is
20 amended—

21 (1) in subsection (a)—

22 (A) by striking “may be used for”, and

23 (B) in paragraph (1) by inserting “may be
24 used for” after “(1)”,

25 (2) by striking subsection (b), and

1 (3) by redesignating subsection (c) as sub-
2 section (b).

3 **SEC. 17. LIMITATIONS ON USE OF FUNDS.**

4 Part F of title II of the Juvenile Justice and Delin-
5 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
6 as so redesignated by section 12, is amended adding at
7 the end the following:

8 **“SEC. 299F. LIMITATIONS ON USE OF FUNDS.**

9 “None of the funds made available to carry out this
10 title may be used to advocate for, or support, the unse-
11 cured release of juveniles who are charged with a violent
12 crime.”.

13 **SEC. 18. RULES OF CONSTRUCTION.**

14 Part F of title II of the Juvenile Justice and Delin-
15 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
16 as so redesignated by section 12 and amended by section
17 17, is amended adding at the end the following:

18 **“SEC. 299G. RULES OF CONSTRUCTION.**

19 “Nothing in this title or title I shall be construed—

20 “(1) to prevent financial assistance from being
21 awarded through grants under this title to any oth-
22 erwise eligible organization; or

23 “(2) to modify or affect any Federal or State
24 law relating to collective bargaining rights of em-
25 ployees.”.

1 **SEC. 19. LEASING SURPLUS FEDERAL PROPERTY.**

2 Part F of title II of the Juvenile Justice and Delin-
3 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
4 as so redesignated by section 12 and amended by sections
5 17 and 18, is amended adding at the end the following:

6 **“SEC. 299H. LEASING SURPLUS FEDERAL PROPERTY.**

7 “The Administrator may receive surplus Federal
8 property (including facilities) and may lease such property
9 to States and units of general local government for use
10 in or as facilities for juvenile offenders, or for use in or
11 as facilities for delinquency prevention and treatment ac-
12 tivities.”.

13 **SEC. 20. ISSUANCE OF RULES.**

14 Part F of title II or the Juvenile Justice and Delin-
15 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
16 as so redesignated by section 12 and amended by sections
17 17, 18, and 19, is amended adding at the end the fol-
18 lowing:

19 **“SEC. 299I. ISSUANCE OF RULES.**

20 “The Administrator shall issue rules to carry out this
21 title, including rules that establish procedures and meth-
22 ods for making grants and contracts, and distributing
23 funds available, to carry out this title.”.

24 **SEC. 21. CONTENT OF MATERIALS.**

25 Part F of title II of the Juvenile Justice and Delin-
26 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),

1 as so redesignated by section 12 and amended by sections
2 17, 18, 19, and 20, is amended by adding at the end the
3 following:

4 **“SEC. 299J. CONTENT OF MATERIALS.**

5 “Materials produced, procured, or distributed both
6 using funds appropriated to carry out this Act and for
7 the purpose of preventing hate crimes that result in acts
8 of physical violence, shall not recommend or require any
9 action that abridges or infringes upon the constitutionally
10 protected rights of free speech, religion, or equal protec-
11 tion of juveniles or of their parents or legal guardians.”.

12 **SEC. 22. TECHNICAL AND CONFORMING AMENDMENTS.**

13 (a) TECHNICAL AMENDMENTS.—The Juvenile Jus-
14 tice and Delinquency Prevention Act of 1974 (42 U.S.C.
15 5601 et seq.) is amended—

16 (1) in section 202(b) by striking “prescribed for
17 GS–18 of the General Schedule by section 5332”
18 and inserting “payable under section 5376”,

19 (2) in section 221(b)(2) by striking the last
20 sentence,

21 (3) in section 299D by striking subsection (d),
22 and

23 (4) by striking titles IV and V, as originally en-
24 acted by Public Law 93–415 (88 Stat. 1132–1143).

1 (b) CONFORMING AMENDMENTS.—(1) Section 5315
2 of title 5 of the United States Code is amended by striking
3 “Office of Juvenile Justice and Delinquency Prevention”
4 and inserting “Office of Juvenile Crime Control and De-
5 linquency Prevention”.

6 (2) Section 4351(b) of title 18 of the United States
7 Code is amended by striking “Office of Juvenile Justice
8 and Delinquency Prevention” and inserting “Office of Ju-
9 venile Crime Control and Delinquency Prevention”.

10 (3) Subsections (a)(1) and (c) of section 3220 of title
11 39 of the United States Code is amended by striking “Of-
12 fice of Juvenile Justice and Delinquency Prevention” each
13 place it appears and inserting “Office of Juvenile Crime
14 Control and Delinquency Prevention”.

15 (4) Section 463(f) of the Social Security Act (42
16 U.S.C. 663(f)) is amended by striking “Office of Juvenile
17 Justice and Delinquency Prevention” and inserting “Of-
18 fice of Juvenile Crime Control and Delinquency Preven-
19 tion”.

20 (5) Sections 801(a), 804, 805, and 813 of title I of
21 the Omnibus Crime Control and Safe Streets Act of 1968
22 (42 U.S.C. 3712(a), 3782, 3785, 3786, 3789i) are amend-
23 ed by striking “Office of Juvenile Justice and Delinquency
24 Prevention” each place it appears and inserting “Office
25 of Juvenile Crime Control and Delinquency Prevention”.

1 (6) The Victims of Child Abuse Act of 1990 (42
2 U.S.C. 13001 et seq.) is amended—

3 (A) in section 214(b)(1) by striking “262, 293,
4 and 296 of subpart II of title II” and inserting
5 “299B and 299E”,

6 (B) in section 214A(c)(1) by striking “262,
7 293, and 296 of subpart II of title II” and inserting
8 “299B and 299E”,

9 (C) in section 217(c)(1) by striking “sections
10 262, 293, and 296 of subpart II of title II” and in-
11 serting “sections 299B and 299E”, and

12 (D) in sections 217 and 222 by striking “Office
13 of Juvenile Justice and Delinquency Prevention”
14 each place it appears and inserting “Office of Juve-
15 nile Crime Control and Delinquency Prevention”,
16 and

17 (E) in section 223(c) by striking “section 262,
18 293, and 296” and inserting “sections 262, 299B,
19 and 299E”.

20 (7) The Missing Children’s Assistance Act (42 U.S.C.
21 5771 et seq.) is amended—

22 (A) in section 403(2) by striking “Justice and
23 Delinquency Prevention” and inserting “Crime Con-
24 trol and Delinquency Prevention”, and

1 (B) in subsections (a)(5)(E) and (b)(1)(B) of
2 section 404 by striking “section 313” and inserting
3 “section 331”.

4 **SEC. 23. REFERENCES.**

5 In any Federal law (excluding this Act and the Acts
6 amended by this Act), Executive order, rule, regulation,
7 order, delegation of authority, grant, contract, suit, or
8 document—

9 (1) a reference to the Office of Juvenile Justice
10 and Delinquency Prevention shall be deemed to in-
11 clude a reference to the Office of Juvenile Crime
12 Control and Delinquency Prevention, and

13 (2) a reference to the National Institute for Ju-
14 venile Justice and Delinquency Prevention shall be
15 deemed to include a reference to Office of Juvenile
16 Crime Control and Delinquency Prevention.

17 **SEC. 24. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

18 (a) EFFECTIVE DATE.—Except as provided in sub-
19 section (b), this Act and the amendments made by this
20 Act shall take effect on the date of the enactment of this
21 Act.

22 (b) APPLICATION OF AMENDMENTS.—The amend-
23 ments made by this Act shall apply only with respect to
24 fiscal years beginning after September 30, 2001.